



# SUMMARY



## **SUMMARY**

### **S.1 Project Synopsis**

#### **S.1.1 Location**

The proposed project is located in the unincorporated community of East Otay Mesa within the Otay Subregional Planning Area in the southernmost portion of San Diego County. More specifically, the project site is located within the southwestern section of Subarea 1 of the East Otay Mesa Specific Plan (EOMSP) area, northwest of the Harvest Road and Otay Mesa Road intersection.

#### **S.1.2 Description**

The proposed project would consist of a 325,502-square-foot (SF) regional shopping center on a 29.6-gross-acre site. The primary access into the proposed shopping center would be from Harvest Road; limited (right-in, right-out only) access would be provided on Otay Mesa Road. The proposed project includes two pylon signs along the SR-125/site boundary and six smaller signs along Harvest Road and Otay Mesa Road. The shopping center would be composed of a Target anchor store, three other major tenants, one sub-major tenant, three restaurant pads, and a series of smaller shops. The Target store would be located in the northern portion of the site. Major A and B would be located in the southwest portion of the site while Major C would be located in the northwest portion of the site adjacent to the Target store. The single submajor tenant would be located just north of Major B in the southwest portion of the site. Pads A and B are located to the north and south of the primary site access point, respectively, and Pad C is located just east of the southernmost access point. Five separate buildings containing one, or more, smaller shops (identified as Shops 1 to 5) would be dispersed throughout the site. A public plaza, which includes a non-exclusive employee break area, would be provided between Shops 2 and 3 in the southeast portion of the site.

#### **S.1.3 Setting**

The 29.6-gross-acre project site is currently undeveloped and primarily contains fallow agricultural fields. No unique or prominent landforms, rock outcrops or streams occur on the property. The site slopes downward to the south, with elevations ranging from 525 feet above mean sea level (AMSL), in the southwest corner of the site, to 578 feet AMSL, in the northwestern corner of the site.

Adjacent uses consist of State Route (SR) 125 to the west, fallow fields to the north, Harvest Road (a dirt road) to the east, and Otay Mesa Road to the south. Past the surrounding roadways are undeveloped land/fallow fields to the east, south and west, and industrial uses to the southeast. Beyond the immediate area, surrounding land uses generally consist of vacant land, scattered rural residential, commercial, light industrial, and businesspark. The Brown Field Municipal Airport runway is located approximately one mile to the west. Two correctional facilities, Donovan State Correctional Facility and George F. Bailey Detention Facility, are located one and two miles northeast of the site, respectively. The Otay Mesa Port of Entry

(POE) and U.S.-Mexico International Border are approximately 1.25 miles to the south. The Tijuana-Rodriguez International Airport is located approximately two miles southwest of the project site in Mexico.

## **S.2 Summary of Significant Effects and Mitigation Measures that Reduce or Avoid the Significant Effects**

The analysis contained in this Supplemental Environmental Impact Report (SEIR) revealed that the proposed project would result in significant impacts related to aesthetics (direct), air quality (direct and cumulative), biological resources (direct, indirect and cumulative), climate change (cumulative), cultural resources (direct), paleontological resources (direct), and traffic/circulation (direct and cumulative)and.

Impacts related to aesthetics, biological, climate change, cultural, paleontological resources would be mitigated to less than significant levels by proposed mitigation measures. Aesthetics impacts would be mitigated by planting trees around the pylon sign in the southwest corner of the project. Biological impacts would be mitigated to less than significant by the proposed acquisition and long-term preservation of 15 acres of land located in Otay Mesa which possesses vernal pool, coastal sage scrub and non-native grassland. Climate change mitigation would require 25 percent of the proposed buildings to incorporate energy conservation measures which would result in a reduction of energy demand that would exceed the levels required by current building codes by 15 percent. Potential impacts to subsurface cultural and paleontological resources would be mitigated to below a level of significance by requiring monitoring during grading activities and curation of discovered resources, if applicable.

The proposed project would result in four potentially significant traffic impacts including one roadway segment and three intersections. As noted in the Section 2.1, completion of Phase A of SR-905 would eliminate the potential significant direct impact of project traffic on the segment of Interim SR-905 between Otay Mesa Road and Siempre Viva Road. Mitigation would avoid this impact by requiring the project not be operational until Phase A has been completed. The significant cumulative impact of the project on the intersection of Airway Road and Paseo de las Americas would be mitigated by the Transportation Impact Fee (TIF) required to be paid by County ordinance. While roadway improvements are available to mitigate significant, direct impacts on the intersections of Airway Road and Sanyo Road as well as Otay Mesa Road and Harvest Road, the impacts are considered potentially unmitigated because implementation of these improvements would be contingent on approval from the City of San Diego. Since the City's approval cannot be guaranteed, the road improvements may not be able to undertaken prior to the when the impact would occur. Thus, the impacts to these two intersections are considered unmitigated.

The proposed project's increase in volatile organic compounds (VOCs) and particulate matter less than or equal to 10 microns (PM<sub>10</sub>) would result in a significant cumulative impact with respect to ozone and PM<sub>10</sub>, since the San Diego Air Basin is in non-attainment for these criteria pollutants. The primary sources of VOC and PM<sub>10</sub> impacts are automobile trips associated with the proposed project, which are beyond the control of the project applicant. As such, no feasible mitigation measures can be implemented by the Project Applicant to substantially reduce direct and cumulative air quality impacts related to operation of the retail center to below a level of

significance. While the project includes sustainability features aimed at reducing traffic-related air quality impacts (e.g., providing sidewalks and internal pedestrian walkways and bicycle parking on site), it is not feasible for the Project Applicant to impose vehicular emission restrictions on commercial customers/employees necessary to fully mitigate PM<sub>10</sub> and ozone emissions.

Thus, the project would have significant but mitigable impacts related to aesthetics (direct), biological (direct, indirect and cumulative), climate change (cumulative), cultural (direct), and paleontological (direct) resources, and significant, unmitigated impacts related to air quality (direct and cumulative), and transportation/circulation (direct and cumulative). The nature of the impacts, the recommended mitigation measures, and the effectiveness of the mitigation in reducing the associated impacts are identified in Table S-1.

### **S.3 Areas of Controversy**

The major areas of controversy anticipated to be associated with the proposed project are related to biological resources and traffic.

With respect to biological resources, an area of controversy includes the loss of non-native grassland and associated function as wildlife habitat. As discussed in Section 2.3, Biological Resources, both the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) are concerned about the continued loss of non-native grassland on Otay Mesa. As project mitigation, the project proposes to preserve land in the Dennery Canyon area within the City of San Diego. Since this land is not located within the same subarea of the MSCP and is outside of the County, it must be added to the preserve area through a Minor Amendment to MSCP Subarea Plan, which requires concurrence from the CDFG and the USFWS. The Project Applicant met with the County, the CDFG and the USFWS to find suitable habitat to offset the impacts to the project site. As discussed in Section 2.3, the agencies have agreed that the preservation of a 15-acre parcel located in the western portion of Otay Mesa would provide adequate compensation for the conversion of the project site to a shopping center.

With respect to traffic impacts, there may be controversy related to traffic congestion that is predicted to occur throughout Otay Mesa until the planned roadway network is completed. As discussed above, traffic impacts on roads in the jurisdiction of the City and Caltrans cannot be guaranteed to be mitigated until the City has given the applicant written concurrence; therefore, these impacts are potentially significant and unmitigated. Of particular concern is the completion of SR-905. As discussed in Section 2.1, Transportation/ Circulation, major congestion will occur along Otay Mesa Road due to the fact that it is serving as the interim route for SR-905. Since Otay Mesa Road is not designed to serve as an interim freeway, unacceptable levels of service are expected along Otay Mesa Road when it is serving as interim SR-905. However, the completion of Phase 1A of the SR-905, anticipated to be in December 2010, is expected to reduce the congestion of the Otay Mesa area and it is reasonable to assume completion will occur prior to occupancy of the proposed project.

#### **S.4 Issues to be Resolved by the Decision-making Body**

Due to the inability of the Project Applicant to: (1) undertake the necessary roadway improvements to avoid significant traffic impacts on two nearby intersections and one segment, and (2) implement measures to reduce air emissions from automobile trips generated by the project; the Planning Commission will need to consider whether to adopt a Statement of Overriding Considerations (SOC) for the significant, unmitigated traffic and air quality impacts. The SOC would consider the social, economic, technical or other reasons for approving the project despite the potential for unmitigated traffic and air quality impacts.

#### **S.5 Project Alternatives**

Chapter 4.0 of this SEIR considers two types of no project alternatives, two modified project alternatives, and one offsite location alternative. The No Build Alternative evaluates the environmental effects of maintaining the property in its current condition in the long-term. The Technology Business Park Alternative evaluates the potential use of the property based on allowed land uses under the existing Specific Plan. The Reduced Retail Alternative evaluates the environmental effects of reducing the amount of square footage associated with a shopping center on the subject property. The Reduced Sign Height Alternative evaluates the impacts of reducing the height and surface area of the southwestern pylon sign. Lastly, the Alternate Project Site Alternative evaluates the environmental effects of constructing the project at another site within the EOMSP that is designated for retail use. The primary goal of these alternatives is to avoid or reduce the following significant environmental impacts associated with the proposed project: aesthetics (direct), air quality (direct and cumulative), biological resources (direct, indirect and cumulative), climate change (cumulative), cultural resources (direct), paleontological resources (direct), and transportation/circulation (direct and cumulative). A brief discussion of the nature of each of these five alternatives and the impacts relative to the proposed project is provided below. Table S-2 provides a matrix of the environmental impacts of each alternative with those of the proposed project. The full discussion of alternatives is contained in Chapter 4.0.

Based on the results of the impact comparison contained in Table S-2, the No Build Alternative is determined to be the environmentally superior alternative because it would result in the elimination of all environmental impacts associated with the proposed project; however this alternative would not achieve the project's basic objectives. Among the other alternatives that would achieve the project's basic objectives, the Reduced Retail Alternative is considered environmentally superior because it would result in fewer impacts to biology and traffic than the proposed project.

##### **S.5.1 No Project: No Build Alternative**

###### **S.5.1.1 *Description***

The No Build Alternative consists of leaving the site in its current condition. No development would occur under this alternative. The site would remain vacant and would consist primarily of non-native grassland.

### ***S.5.1.2 Environmental Impact Comparison with Proposed Project***

The No Build Alternative would have no impacts to the environment, as this alternative would not change the site from its current condition. Therefore, this alternative would avoid the aesthetics, air quality, traffic, biological resource, cultural resource, and paleontological resource impacts of the proposed project. However, the No Build Alternative would not meet any of the project goals.

## **S.5.2 No Project: Technology Business Park**

### ***S.5.2.1 Description***

Under this alternative the site would be developed as a Technology Business Park. The EOMSP land use designation for the property is currently “Technology Business Park”. Although the proposed project proposes to take advantage of the commercial overlay provision of the EOMSP which allows the proposed retail center, the site could be developed as a technology business park. This designation is intended for development of manufacturing operations and business offices that research, develop and produce advanced technologies, including defense and space technologies, communication, computer and internet, audio/visual, and pharmaceutical and medical products. Access points to the surrounding street system would be similar to that of the proposed project. As with the proposed project, the footprint of the Technology Business Park alternative would encompass the entire site. As pylon signs of the height proposed by the project are not typical for technology business park developments, it is assumed that this alternative would not include pylon signs over 55 feet.

### ***S.5.2.2 Environmental Impact Comparison with Proposed Project***

As illustrated in Table S-2, the major environmental benefits associated with this alternative would be related to traffic, air quality, and aesthetics. This alternative would reduce trips to approximately 3,550 ADT. While this reduction would not eliminate the significant traffic impact related to the proposed project, it would result in a proportionate reduction in the impact. The reduction in traffic would also result in a proportionate reduction in automobile emissions which would reduce, but not eliminate, significant emissions related to air quality (i.e., VOC and PM<sub>10</sub>). Elimination or reduction of pylon signs to 55 feet would reduce the aesthetics impact related to community character to less than significant levels. While the greenhouse gas emissions would be reduced relative to the proposed project, they would still need to be reduced to 28.3 percent below business as usual to be considered less than significant. As such, the change of uses alone would not achieve the 28.3 percent business as usual reduction goal. Thus, the climate change impact would remain significant. As the development footprint would be comparable to the proposed project, this alternative would not reduce impacts related to biological, cultural or paleontological resources. This alternative would also not meet the basic project goal of providing a community commercial center.

### **S.5.3 Reduced Retail Alternative**

#### **S.5.3.1 Description**

The primary purpose of this alternative would be to substantially reduce project impacts related to traffic by reducing the number of square feet of retail space. The Reduced Retail Alternative assumes that the shopping center would be anchored by a Target store but that it would not include the three majors and one sub-major store included in the proposed project. As a result, the total retail use area would be reduced from 325,502 to 200,000 SF. With the smaller size, the pad area would be reduced by approximately 25 percent (seven acres). In order to reduce impacts associated with signage, this alternative would reduce the height of the southwestern pylon sign to 55 feet. It is assumed that the undeveloped land resulting from the smaller pad area would be located in a strip of land along the northern property line.

#### **S.5.3.2 Environmental Impact Comparison with Proposed Project**

As illustrated in Table S-2, the major environmental benefits associated with this alternative would be related to aesthetics, air quality, climate change, traffic, biology and aesthetics. However, due to the smaller footprint, the potential for grading to encounter buried cultural and/or paleontological resources would also be proportionately reduced.

The number of trips would be reduced to 14,700 ADT. While this would not reduce the project's cumulative impacts to below a level of significance, it would result in a proportionate reduction in congestion. The reduction in trips would proportionately reduce mobile-source emission impacts, but not to below a level of significance. The smaller development area would allow an estimated 25 percent (seven acres) of the non-native grassland habitat and other potential resources (cultural and paleontological) to be preserved in the northern portion of the site. While this would reduce the loss of grassland resulting from the proposed project, several factors associated with the undisturbed grassland would limit its value. The preserved grassland would be too small to be of significant wildlife value; particularly, in light of the fact that the surrounding land is anticipated to be developed. In the long-term, the preserved grassland would be isolated from other grasslands with limited biological value. The reduction in the height of the southwestern pylon sign would reduce the aesthetics impact associated with the proposed project to less than significant. The reduction in automobile trips and building square footage would reduce criteria and GHG emissions which would result in a proportionate reduction of impacts associated with air quality and climate change, but impacts would still be significant unless efficiency mitigation measures were adopted.

As noted earlier, the Reduced Retail Alternative is an environmentally superior alternative because it would result in the highest reduction of environmental impacts associated with the proposed project while meeting the basic project goals of developing a shopping center.

### **S.5.4 Reduced Sign Height Alternative**

#### **S.5.4.1 Description**

In order to avoid the significant aesthetics impact of the 65-foot sign in the southwest corner of the proposed shopping center, this alternative would reduce the height of this sign to 55 feet and

the surface area to 1,300 square feet. The commercial development and project site would be unchanged from the proposed project.

#### ***S.5.4.2 Environmental Impact Comparison with Proposed Project***

As illustrated in Table S-2, there are no major environmental benefits associated with this alternative in relation to the proposed project except the elimination of the aesthetics impact. Construction of a commercial facility with the same footprint as the proposed project on the same site would result in the same traffic, climate change, air quality, biological resource, cultural resource, and paleontological resource impacts. While this alternative would meet the primary project goal of providing a community commercial center, the Project Applicant believes that it would not provide sufficient visibility of the project from the SR-905/SR-125 interchange to effectively advertise future stores.

### **S.5.5 Alternate Project Site**

#### ***S.5.5.1 Description***

A site located at the northeast corner of the intersection of Otay Mesa Road and Alta Road is considered as an alternate site for the proposed shopping center. The alternate project site is designated District Commercial in the EOMSP and is considered suitable for a shopping center of this size because it is currently designated for commercial use, offers over 30 acres of land, and is located 1.5 miles from the proposed project.

#### ***S.5.5.2 Environmental Impact Comparison with Proposed Project***

As illustrated in Table S-2, there are no major environmental benefits associated with this alternative in relation to the proposed project. Development of the alternate site would result in a comparable number of automobile trips which would travel the same roadway network as the proposed project. Consequently, the automobile emissions would have an impact on air quality that would be comparable to the proposed project. Climate change impact would remain significant and, as with the proposed projects, additional energy consumption reductions would be needed to meet the reduction goal of 28.3 percent. As the project site is covered by non-native grassland, development of the alternate site would have an impact on this habitat that would be comparable to the proposed project. Also, as with the proposed project, development of this site could impact cultural and paleontological resources. It is also assumed that the pylon sign height could be reduced due to greater visibility at the alternative location (no SR-125/SR-905 interchange visibility issues).

While this alternative would meet the primary project goal of providing a community commercial center, with the exception of aesthetics impacts, it would not substantially reduce impacts associated with the proposed project.



**Table S-1  
SUMMARY OF SIGNIFICANT EFFECTS**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Significance of Impact After Mitigation</b>
<b>Air Quality (Section 2.2)</b>			
<b>AQ-1 (Direct)</b>	Long-term mobile-source emissions related to VOC and PM <sub>10</sub> .	As the primary source of VOC and PM <sub>10</sub> impacts is automobile trips associated with the proposed project, the Project Applicant is unable to directly implement measures to substantially reduce VOC and PM <sub>10</sub> impacts. However, the proposed project includes several features that would reduce operational air emissions including the provision of sidewalks and internal pedestrian walkways, preferred carpool/vanpool parking, and bicycle parking. The project would also use low-VOC paint and implement grading BMPs listed in Section 2.2.5 to reduce construction emissions. In addition, the location of the project would indirectly reduce VOC and PM <sub>10</sub> emissions by reducing the number of vehicles miles associated with trips to regional shopping centers. With the project, shoppers from Mexico would not have to travel as far as to reach a major retail destination in the U.S. which could proportionately reduce the vehicle miles traveled and associated air emissions.	<b>Significant</b>
<b>AQ-2 (Cumulative)</b>	Long-term mobile-source emissions related to VOC and PM <sub>10</sub> .	As with mitigation for impact AQ-1, the Project Applicant is unable to implement emission control measures to substantially reduce associated VOC and PM <sub>10</sub> related to operational mobile-source emissions.	<b>Significant</b>
<b>Transportation/Traffic (Section 2.1)</b>			
<b>TR-1 (Direct)</b>	The proposed project would have a significant, direct impact on Interim SR-905, between Otay Mesa Road and Siempre Viva Road (Jurisdiction: City/Caltrans).	<b>M-TR-1:</b> Prior to issuance of building permits, Phase 1A of SR-905 shall be completed.	<b>Less than Significant</b>

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

Impact No.	Impact	Mitigation	Significance of Impact After Mitigation
<b>TR-2 (Direct)</b>	The proposed project would have a significant direct impact to the Otay Mesa Road/ Harvest Road intersection (PM) (Jurisdiction: City/County/Caltrans).	<p><b>M-TR-2:</b> If not completed by another development, ensure the following intersection improvements are implemented to the satisfaction of the County of San Diego and City of San Diego Departments of Public Works and, if applicable, Caltrans: Signalize when warrants are met and widen the intersection to provide the following lane configuration: two eastbound left-turn lanes; one eastbound through lane; one eastbound shared through-right lane; one westbound left-turn lane, one westbound through lane, one westbound shared through-right lane; one northbound shared left-through-right lane; one southbound shared left-through lane; and two southbound right-turn lanes.</p> <p>The Project Applicant shall conduct and submit a detailed signal warrant analysis prior to issuance of the first building permit. The signal shall be installed when warrants are met. Prior to the issuance of the first building permit of the Project, the Project Applicant shall either (i) have constructed intersection improvements, or (ii) entered into a secured agreement with the City and, if applicable, Caltrans to construct the improvements. If an agreement is entered into with the City and, if applicable, Caltrans, the agreement should specify that the improvements be operational prior to issuance of building permits.</p> <p>Mitigation is considered potentially infeasible because it requires the approval of other jurisdiction(s).</p>	<b>Significant</b>

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

Impact No.	Impact	Mitigation	Significance of Impact After Mitigation
<b>TR-3 (Direct and Cumulative)</b>	<p>The proposed project would have a significant, direct and cumulative impact to the Airway Road/Sanyo Avenue intersection (PM) (Jurisdiction: City).</p>	<p><b>M-TR-3:</b> If not completed by another development, ensure the following intersection improvements are implemented to the satisfaction of the County of San Diego and City of San Diego Departments of Public Works: Signalize when warrants are met and widen the intersection to provide the following lane configuration: one eastbound shared left-through-right lane; one westbound left-turn lane, one westbound through lane, one westbound right-turn lane; one northbound left-turn lane; one northbound shared through-right lane; one southbound shared left-through lane; and one southbound right-turn lane.</p> <p>The Project Applicant shall conduct and submit a detailed signal warrant analysis prior to issuance of the first building permit. The signal shall be installed when warrants are met. Prior to the issuance of the first building permit of the Project, the Project Applicant shall either (i) have constructed intersection improvements, or (ii) entered into a secured agreement with the City to construct the improvements. If an agreement is entered into with the City, the agreement should specify that the improvements be operational prior to issuance of building permits.</p> <p>Mitigation is considered potentially infeasible because it requires the approval of another jurisdiction(s).</p>	<p><b>Significant</b></p>

<p align="center"><b>Table S-1 (cont.)</b> <b>SUMMARY OF SIGNIFICANT EFFECTS</b></p>			
<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Significance of Impact After Mitigation</b>
<b>TR-4 (Cumulative)</b>	The proposed project would have a significant, cumulative impact to the Airway Road/Paseo de las Americas intersection (Jurisdiction: City/County).	<b>M-TR-4:</b> Prior to issuance of building permits, the Project Applicant shall pay the County's Traffic Impact Fee (TIF) toward the signalization and widening of the Airway Road/Paseo de las Americas intersection to provide the following lane configurations: signalization; one eastbound left-turn lane; one eastbound through lane; one eastbound shared through-right lane; one westbound left-turn lane; one westbound through lane; one westbound shared through-right lane; one northbound shared left-through lane; one northbound right-turn lane; and one southbound left-through-right turn lane.	<b>Less than Significant</b>
<b>Biological Resources (Section 2.3)</b>			
<b>BI-1 (Direct)</b>	Direct loss of 22.2 acres of sensitive habitat comprised of non-native grassland.	<b>M-BI-1:</b> The Project Applicant shall acquire and preserve a 15.4-acre parcel known as the Attisha Trust parcel (Figure 2.4-2). A conservation easement shall be placed over the land and a one-time endowment shall be provided by the Project Applicant to be used for perpetual management of the Attisha Trust parcel. In addition, although no impacts to burrowing owl are anticipated, the Project Applicant shall install of five artificial burrowing owl burrows on the Attisha Trust parcel to improve the habitat value for this species. Enhancement of the mitigation parcel for burrowing owl use shall be performed pursuant to the Enhancement Plan contained in Appendix E.2 of the SEIR. Each burrow will contain two nesting chambers with separate entrances. The County Department of Parks and Recreation shall accept the Attisha Trust parcel in fee title along with the endowment to manage the parcel in perpetuity following installation of fencing (six-foot vinyl chain link fence) and burrows.	<b>Less than Significant</b>
<b>BI-2 (Direct)</b>	Direct loss of raptor foraging habitat.	Implementation of M-BI-1 would serve as mitigation for Impact BI-2.	<b>Less than Significant</b>

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Significance of Impact After Mitigation</b>
<b>Biological Resources (Section 2.3) (cont.)</b>			
<b>BI-3 (Indirect)</b>	Potential indirect impacts to raptor nests during construction.	<b>M-BI-2:</b> No grading or clearing shall occur within 500 feet of tree-nesting raptor habitat during the tree-nesting raptor breeding season (January 15 through July 15 or until all nesting is complete) or within 800 feet of ground-nesting raptor habitat during the ground-nesting raptor breeding season (February 1 through July 15 or until all nesting is complete). If clearing or grading is planned to begin during the raptor breeding season, the Director of Planning and Land Use may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Game, if no raptors or nesting/breeding birds are present in the vicinity of the brushing, clearing or grading. A pre-construction survey shall be conducted to determine if breeding or nesting raptors occur within impact areas. If there are no raptors nesting (includes nest building or other breeding/nesting behavior) within this area, clearing or grading shall be allowed to proceed. However, if any of these birds are observed nesting or displaying breeding/nesting behavior within the area, clearing or grading shall be postponed until all nesting (or breeding/nesting behavior) has ceased.	<b>Less than Significant</b>

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Significance of Impact After Mitigation</b>
<b>Biological Resources (Section 2.3) (cont.)</b>			
<b>BI-4 (Direct)</b>	Impact to birds protected by the Migratory Bird Treaty Act (MTBA).	<b>M-BI-3:</b> No grading, clearing, or construction activities shall occur within 300 feet of vegetated habitat during the breeding season for migratory birds (February 1 through September 15). The Director of Planning and Land Use may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Game, if no raptors or nesting/breeding birds are present in the vicinity of the brushing, clearing or grading., Surveys shall be conducted by a qualified biologist to determine the presence or absence of nesting migratory birds on the project site.	<b>Less than Significant</b>
<b>BI-5 (Cumulative)</b>	Loss of 22.2 acres of non-native grassland would conflict with regional goals to preserve sensitive habitats.	Implementation of <b>M-BI-1</b> would serve as mitigation for Impact <b>BI-5</b> .	<b>Less than Significant</b>
<b>Cultural Resources (Section 2.4)</b>			
<b>CR-1 (Direct)</b>	Potential for subsurface archaeological resources to be encountered during grading.	<p><b>M-CR-1:</b> Direct impacts to buried, previously unrecorded cultural resources would be mitigated through the implementation of a grading monitoring program. The monitoring program shall be in accordance with the County of San Diego Significance Guidelines and shall include:</p> <ol style="list-style-type: none"> <li>1. Providing evidence that a County-approved archaeologist has been contracted to implement the monitoring program.</li> <li>2. A Native American monitor.</li> <li>3. Attending pre-grading meetings to explain and coordinate the requirements of the monitoring program.</li> <li>4. Monitoring all areas identified for development including off-site improvements.</li> <li>5. Documentation of isolates and non-significant deposits.</li> </ol>	<b>Less than Significant</b>

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

Impact No.	Impact	Mitigation	Significance of Impact After Mitigation
<b>CR-1 (Direct) (cont.)</b>		<ul style="list-style-type: none"> <li>6. Diverting or temporarily halting disturbance operations in the area of any discovery of potentially significant cultural resources to allow evaluation and significance determination.</li> <li>7. Consultation with the County staff archaeologist at time of discovery to determine the significance of the cultural resources.</li> <li>8. Preparation of a Research Design and Data Recovery Program for significant cultural resources;</li> <li>9. Contacting the County Coroner in the event that human bones are discovered.</li> <li>10. Contacting the Native American Heritage Commission, in the event that human remains are determined to be of Native American origin. Contacting the Most Likely Descendant to determine proper treatment and disposition of the remains.</li> <li>11. Curation of associated records and all artifacts collected as part of the grading monitoring program.</li> <li>12. Preparation of a final report documenting the field and any analysis results.</li> </ul>	

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

Impact No.	Impact	Mitigation	Significance of Impact After Mitigation
<b>Paleontological Resources (Section 2.5)</b>			
<b>PI-1 (Direct)</b>	Potential impact on paleontological resources should grading encounter a geologic formation with a moderate to high paleontological sensitivity.	<p><b>M-PI-1:</b> Prior to obtaining a grading permit, the Project Applicant shall implement a Monitoring and Resource Recovery Program (MRRP) to mitigate potential impacts to buried paleontological resources encountered on the project site during grading. In addition, the text of this mitigation measure shall be contained in the notes of the Grading Plan.</p> <p>The MRRP shall be approved by the Director of DPLU and shall include the following:</p> <ol style="list-style-type: none"> <li>1. The Project Applicant shall provide evidence to the satisfaction of the Director of DPLU that a County-approved paleontologist has been contracted to implement a grading MRRP before commencing grading.</li> <li>2. The County-approved paleontologist shall attend a pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.</li> <li>3. The Project Paleontologist shall monitor all areas identified for development, including off-site improvements.</li> <li>4. An adequate number of monitors shall be present to ensure that all earthmoving activities are observed and shall be on site during all grading activities for areas to be monitored.</li> </ol>	<b>Less than Significant</b>



**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

Impact No.	Impact	Mitigation	Significance of Impact After Mitigation
<b>Paleontological Resources (Section 2.5)</b>			
<b>PI-1 (Direct) (cont.)</b>		<ol style="list-style-type: none"> <li>5. During the original cutting of previously undisturbed deposits, the paleontological monitor(s) shall be on site full time to perform full-time monitoring. Inspections will vary based on the rate of excavation, the materials excavated and the presence and abundance of fossils. The frequency and location of inspections will be determined by the Project Paleontologist.</li> <li>6. Isolated fossils shall be minimally documented in the field, and the monitored grading can proceed.</li> <li>7. In the event that significant paleontological resources are discovered, the paleontological monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of the resources. The Project Paleontologist shall contact the County at the time of discovery and, in consultation with the County, determine the significance of the discovered resources. The County must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant resources, a Research Design and Resource Recovery Program to mitigate impacts shall be prepared by the Project Paleontologist and approved by the County, then carried out using professional paleontological methods.</li> <li>8. Before construction activities are allowed to resume in the affected area, the resources shall be recovered recorded using professional paleontological methods. The Project Paleontologist shall determine the amount of material to be recovered.</li> </ol>	

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

Impact No.	Impact	Mitigation	Significance of Impact After Mitigation
<b>PI-1 (Direct) (cont.)</b>		<p>9. In the event that paleontological resources are discovered, all material collected during the grading monitoring program shall be processed and curated. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that paleontological materials have been received and that all fees have been paid.</p> <p>10. Monthly status reports shall be submitted to the Director of DPLU starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.</p> <p>11. In the event that paleontological resources are discovered, a report documenting the field and analysis results and interpreting the recovered resources within the research context shall be completed and submitted to the satisfaction of the Director of DPLU prior to the issuance of any building permits.</p> <p>12. Prior to occupancy or use of the premises, the Project Applicant shall complete and submit to the satisfaction of the Director of DPLU, a final report that documents the results, analysis, and conclusions of all phases of the MRRP. It shall also include evidence that all resources collected during the grading monitoring program have been curated.</p>	

**Table S-1 (cont.)**  
**SUMMARY OF SIGNIFICANT EFFECTS**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Significance of Impact After Mitigation</b>
<b>PI-1 (Direct) (cont.)</b>		<b>13.</b> In the event that no paleontological resources are discovered in the course of monitoring, a brief letter to that effect shall be sent to the DPLU by the Project Paleontologist confirming that the grading monitoring activities have been completed.	
<b>Aesthetics (Section 2.6)</b>			
<b>AE-1 (Direct)</b>	The 65-foot sign at the southwest corner of the proposed project would significantly impact the aesthetics of the surrounding area.	<p><b>M-AE-1:</b> In order to reduce the project's direct impact on aesthetics, the Project Applicant will be required to submit and implement an enhanced landscape plan that complements the height and scale of sign A2 and reduces its visual impact to the satisfaction of the Director of Planning and Land Use by incorporating the following elements:</p> <ol style="list-style-type: none"> <li>1. The landscape plan shall include tall shrubs surrounding sign A2 to block views of the sign's pylon base and reduce the sign's apparent height as seen from Otay Mesa Road and the SR-125 on-ramp. These shrubs shall be selected and maintained such that they would not obscure the actual signage area.</li> <li>2. The landscape plan shall include at least three 48" box Canary Island pine trees located around sign A2, with two trees north of the sign and one tree south of the sign, to complement the height and scale of the sign without significantly obscuring its visibility from Otay Mesa Road or SR-125.</li> <li>3. The final selection of perimeter screening trees along SR-125 shall include Canary Island pine trees, especially near signs A1 and A2.</li> </ol>	<b>Less than Significant</b>

**Table S-1 (cont.)  
SUMMARY OF SIGNIFICANT EFFECTS**

Impact No.	Impact	Mitigation	Significance of Impact After Mitigation
<b>Climate Change (Section 2.7)</b>			
<b>CC-1 (Cumulative)</b>	GHG emissions generated by the proposed project would exceed the level needed to achieve the 28.3 percent reduction needed to achieve California's GHG emission reduction goals for the year 2020.	<p><b>M-CC-1: Intent:</b> In order to reduce the project's cumulative impact on climate change to less than significant, at least 25% of the gross leasable floor area within the project shall be required to achieve energy efficiency 15% above the level required by the applicable 2008 California Title 24 Energy Efficiency Standards. This will bring the project's greenhouse gas emissions to 28.3% below Business As Usual and achieve 1990 levels in accordance with AB32 (CARB Scoping Plan, 2008). <b>Description of Requirement:</b> The energy efficiency of the buildings specified on the approved Site Plan, comprising 25% of the gross leasable space, shall adopt additional energy conservation measures in order to surpass the 2008 California Title 24 Energy Efficiency Standards by at least 15%. Potential measures to be taken may include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Building Envelope: Designing roof, walls, and fenestration assemblies to exceed the maximum U-factors prescribed by Title 24 to reduce heating, ventilation, and air conditioning system loads.</li> <li>2. Lighting: Designing indoor and outdoor lighting with lower lighting power densities.</li> <li>3. Mechanical: Install cooling systems that are Energy Star certified and exceed the minimum efficiency requirements of Title 24 to reduce cooling energy use.</li> </ol>	<b>Less than Significant</b>

**Table S-1 (cont.)**  
**SUMMARY OF SIGNIFICANT EFFECTS**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Significance of Impact After Mitigation</b>
<b>CC-1 (Cumulative) (cont.)</b>		<p><b>Documentation:</b> The Project Applicant shall prepare Title 24 Compliance Reports documenting the additional 15% energy efficiency and submit them to [DPLU, PCC] for approval.</p> <p><b>Timing:</b> Prior to issuance of the building permit for each of the buildings listed as “Buildings that will exceed Title 24 Energy Efficiency Standards by 15%” on the approved Site Plan, the Title 24 Compliance Report shall be submitted. <b>Monitoring:</b> The [DPLU, PCC] shall review the Title 24 Compliance Report for compliance with this condition.</p>	

**Table S-2**  
**COMPARISON OF ENVIRONMENTAL EFFECTS OF THE**  
**PROPOSED PROJECT WITH PROJECT ALTERNATIVES**  
**(DIRECT/CUMULATIVE)**

<b>Environmental Issue</b>	<b>Proposed Project</b>	<b>No Project: No Build</b>	<b>No Project: Technology Business Park</b>	<b>Reduced Retail Alternative</b>	<b>Reduced Signage Height Alternative</b>	<b>Alternate Project Site</b>
Aesthetics	SM/LS	LS(-)/LS	LS(-)/LS	LS(-)/LS	LS(-)/LS	LS(-)/LS
Air Quality	SU/SU	LS/LS	SU(-)/SU(-)	SU(-)/SU(-)	SU(=)/SU(=)	SU(=)/SU(=)
Biological Resources	SM/SM	LS/LS	SM(=)/SM(=)	SM(-)/SM(=)	SM(=)/SM(=)	SM(=)/SM(=)
Climate Change	LS/SM	LS/LS	LS/SM(-)	LS/SM(-)	LS(=)/SM(=)	LS/SM(=)
Cultural Resources	SM/LS	LS/LS	SM(=)/LS	SM(-)/LS	SM(=)/LS(=)	SM(=)/LS
Paleontological Resources	SM/LS	LS/LS	SM(=)/LS	SM(-)/LS	SM(=)/LS(=)	SM(=)/LS
Transportation/Circulation	SU <sup>1</sup> /SU <sup>1</sup>	LS/LS	SU <sup>1</sup> (-)/SU <sup>1</sup> (-)	SU <sup>1</sup> (-)/SU <sup>1</sup> (-)	SU <sup>1</sup> (=)/SU <sup>1</sup> (=)	SU <sup>1</sup> (=)/SU <sup>1</sup> (=)

LS: Less than Significant  
SM: Significant but mitigable  
SU: Significant and not mitigable  
(=): Comparable Impact  
(+): Greater Impact  
(-): Reduced Impact

<sup>1</sup> Traffic impact is considered significant not mitigated since implementation of some of needed roadway improvements require approval of another agency and, thus, may be infeasible to complete.

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